



RECEIVED
SEP 9 2003
TECH CENTER 1600/2900
9/11/03

PATENT
Attorney Docket No. 12971US04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Grant L. Schoenhard

Serial No.: 10/000,113

Filing Date: October 30, 2001

For: Inhibitors of ABC Drug Transporters at
the Blood-Brain Barrier

Examiner: William R. A. Jarvis

Group Art Unit No.: 1614

Confirmation No.: 8969

Customer No.: 23446

EXPRESS MAIL NO. EV 326568605 US

DATE OF MAILING: September 4, 2003

RESPONSE TO OFFICE ACTION OF MARCH 4, 2003
WITH RESTRICTION REQUIREMENT

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed March 4, 2003, Applicant elects Group IX claims with traverse. This response is timely filed with a Petition for a Five-Month Extension of Time, with a check for the required fee of \$985.00, submitted herewith, making the response due on September 4, 2003, therefore filed in a timely manner.

Group I consisted of original claims 1-44, stated by the Examiner as drawn to a method of enhancing efficacy of a non-opioid CNS-active agent by

administering a non-opioid CNS active agent and an amount of an inhibitor of a drug transporter.

Group II consisted of claims 45-66 and 165-186, stated by the Examiner as drawn to a method of reversing tolerance to a non-opioid CNS-active agent by administering an inhibitor of a drug transporter and a non-opioid CNS-active agent.

Group III consisted of claims 67-164, stated by the Examiner as drawn to a method of treating a patient with chronic pain by coadministering a non-opioid CNS-active agent and an inhibitor of a drug transporter.

Group IV consisted of claims 187 and 188, stated by the Examiner as drawn to a method of inhibiting a P-glycoprotein by administering a P-glycoprotein inhibiting amount of an ABC drug transporter and a non-opioid CNS-active agent.

Group V consisted of claims 189-228, stated by the Examiner as drawn to a method of enhancing efficacy of an opioid CNS-active agent by administering an opioid CNS active agent and an amount of an inhibitor of a drug transporter.

Group VI consisted of claims 229-248 and 339-360, stated by the Examiner as drawn to a method of reversing tolerance to an opioid CNS-active agent by administering an inhibitor of a drug transporter and an opioid CNS-active agent.

Group VII consisted of claims 249-338, stated by the Examiner as drawn to a method of treating a patient with chronic pain by coadministering an opioid CNS-active agent and an inhibitor of a drug transporter.

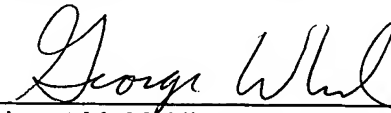
Group VIII consisted of claims 361 and 370-372, stated by the Examiner as drawn to a composition comprising an opioid receptor agonist and a non-opioid compound.

Group IX consisted of claims 362-369 and 373-376, stated by the Examiner as drawn to a composition comprising a non-opioid CNS active agent and an opioid receptor antagonist.

Group X consisted of claims 377-393, stated by the Examiner as drawn to methods for identifying a compound suitable for coadministration with a CNS-active agent for enhanced efficacy of the CNS-active agent, for identifying a compound as a therapeutic agent for transport across the blood-brain barrier, and for enhancing the potency of said compound.

The Examiner has additionally requested that Applicant elect a single disclosed species from (1) various non-opioid CNS-active agents and (2) opioid receptor antagonists. Applicant elects (1) an antidepressant and (2) nalmefene, with traverse. Applicant's election of Group IX, claims 362-369 and 373-376, and the election of species are hereby made without prejudice to Applicant's right to pursue the non-elected claims in one or more divisional applications. The Examiner is invited to telephone Applicant's representative if the Examiner believes, for any reason, that personal communication would expedite the prosecution of this application.

Respectfully submitted,



Janet M. McNicholas, Ph.D.
Registration No. 32,918

Date: September 4, 2003

George Wheeler
Registration No. 28,766

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100